cle . . . on the highways of the Commonwealth while the revocation of the person's driving privilege remains in effect." \mbox{Va} .

Code S 46.2-357(A). This language shows that the legislature contem-

plated and provided for the continued regulation of individuals who

had received habitual offender status before implementation of the Act.

Perhaps most significant for purposes of this appeal is the fact that

the penalty provision for an adjudicated habitual offender's second

offense (driving on a suspended or revoked license, see Va. Code S 46.2-357(B)(2)) has not been altered in the least. It states that such

an offender shall be "guilty of a felony punishable by confinement in

a state correctional facility for not less than one year nor more than

five years." Va. Code S 46.2-357(B)(2)&(3). Dawson was sentenced within those parameters; his presentencing report set the statutory

minimum and maximum sentences as one and five years respectively.

Based on the foregoing, we find that the Virginia General Assembly evinced its intent to enact a new, stiffer law dealing with those

who commit serious traffic violations, and that it drafted the legisla-

tion in such a way as to provide saving provisions for the penalties

to be imposed on those it previously chose to designate habitual offenders for having accumulated such violations. Because the legis-

lature continues to recognize a class of persons who have already been designated habitual offenders, Dawson's contention that his con-

viction has been deprived of its "statutory underpinnings" is without merit.

We likewise find Dawson's equal protection argument to be unavailing. Dawson argues that the Act creates a class of habitual

offenders who are treated differently under the traffic laws than are

those who now commit the same types of infractions. While this is undoubtedly correct, we find the Act's classification scheme to be

rationally related to a legislative goal. See FCC v. Beach Communica-

tions, Inc., 508 U.S. 307, 313-14 (1993) (stating that statutory classifi-

cations that neither affect members of a suspect class nor infringe

upon fundamental constitutional rights are subject to a rational basis

standard of review). There can be no doubt that retaining the classifi-

cation of habitual offender that existed prior to July 1, 1999 is ratio-

nally related to the Virginia General Assembly's goal of regulating

traffic safety. Furthermore, the legislature could hardly be expected

to reclassify past offenders under the new scheme, as ex post facto $% \left(1\right) =\left(1\right) \left(1\right) +\left(1\right) \left(1\right) \left(1\right) +\left(1\right) \left(1$

problems would then arise.

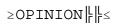
AFFIRMED

```
\label{eq:local_problem} $$ \begin{array}{ll} \label{eq:local_problem} & \label{eq:local_problem} & \begin{array}{ll} \label{eq:local_problem} & \label{eq:local_problem} & \label{eq:local_problem} & \begin{array}{ll} \label{eq:local_problem} & \label{eq
```

>UNPUBLISHED[⊥]♦§♂ © ♦© §[⊥] LUNITEDÇSTATESÇCOURTÇOFÇAPPEALS LFFORÇTHEÇFOURTHÇCIRCUIT LS

αNo.Ç99-7006 ♣§♂ ©♦♂T♠ ©
§ ₩ILLIAMÇBLOHM, № ♬≥Defendant-Appellant. ♣§♂ ©
p■

>COUNSEL \$ \$ \$ \$ O C C S F C S



≤PERÇCURIAM: | | WilliamÇJ.ÇBlohmÇappealsÇfromÇtheÇdistrictÇcourt'sÇorderÇdeclactÇon | them). | Moreover,ÇbothÇBlohm'sÇtreatingÇphysiciansÇatÇFCI-ButnerÇ